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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,767	12/26/2001	Christian Lorenz	TRW(ASG)6011	3838

26294 7590 10/03/2003

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EXAMINER
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SPISICH, GEORGE D

ART UNIT	PAPER NUMBER
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3616

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/035,767

Applicant(s)

LORENZ ET AL.

Examiner

George D. Spisich

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3616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

The disclosure is objected to because of the following informalities:

On page 6, line 10, "teared" should be - - torn - -.

### ***Claim Objections***

Claims 1 and 8 are objected to because of the following informalities:

In claim 1, line 4, "that" should be deleted.

In claim 1, line 13, "towards outside" should be deleted and - - outwardly - - should be inserted.

In claim 8, line 2, "are swiveling towards outside when opening said gas bag module" should be - - swivel outwardly when said gas bag module is opened - -.

In claim 8, line 3 and 4, "on the one hand said cap and on the other hand engage", should be - - both said cap and - -.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 9 and 10 recites the limitation "side walls" in claim 9, line 3. There is insufficient antecedent basis for this limitation in the claim.

Only a single side wall is claimed in claim 9, line 2.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by WO 97/34783.

WO '783 (shown in Figures 11 and 12) discloses a gas bag restraining device comprising a gas bag module which has a gas bag (10) with a front wall upon which an occupant to be restrained can impact in case of restraint. The front wall having a depression in the center portion and the front wall is attached to the module and is prevented from moving when the gas bag is inflated. The gas bag restraining device

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further comprising a module cover (78) closing a ring-shaped outlet opening of the gas bag module.

The module cover (78) having a central hole which is covered by a cap (central portion of the steering wheel) which is stationary during opening of the gas bag module.

The module cover having an edge defining a central hole and a holding connection being provided between the edge and the cap which is released when the gas bag module is opened so that the module cover opens outwardly starting from the edge.

The holding connection is a form-fitting connection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 97/34783 in view of Brawn (USPN 3,887,214).

WO '783 has been discussed in the prior rejection.

Although WO '783 shows a module cover that inherently is torn as the air bag is inflated and the sections swivel outwards, the sections of the cover are not shown to have a form-fitting connection with each other and there is also not shown a projection on the edge of the module cover that forms a form-fitting connection with the cap

Brawn (shown in Figure 6) shows an air bag module cover having a connection between connections of these sections. This connection is a form-fitting connection that would be considered a tongue and groove connection and also have a projection (in the tongue) that projects upwardly to connect with a complimentary recess (in the groove).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the module cover and cap of WO '783 by providing connections between sections of the module cover and the edge of the cover and the cap with form-fitting connections as taught by Brawn so as to provide a secure positive connection that functions efficiently during the inflation of the air bag.

***Allowable Subject Matter***

Claims 9 and 10 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Prior art does not show a module cover having end and side walls clamped together and a hinge in a region of the clamping.

**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Know (USPN 6,042,139), DE 19749914, Nishijima et al. (USPN 6,042,147), Neupert (USPUB 2002/0084638). Frisch (USPN 6,517,100), Lorenz et al. (USPUB 2002/0121769), Bohn et al. (USPN 6,595,549), Bohn et al. (USPN 6,588,798), Ford et al. (USPN 6,561,538), Burdock (USPN 6,550,804).

.Any inquiry concerning this communication or earlier communications from the examiner should be directed to George D. Spisich whose telephone number is (703) 305-6495. The examiner can normally be reached on Monday to Friday 6:00-3:30 except alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (703) 308-2089. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9326.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-1113.

Gds  
September, 24, 2003

